

THESE ANSWERS ARE PROVIDED BASED UPON THE MOST ACCURATE INFORMATION WE HAVE TODATE, HOWEVER, THIS COULD BE SUBJECT TO CHANGE AT ANY TIME.

MME WORKSHOP 06/12/14 AT 9:00 A.M.

1. **Question:** Do we need to submit the entire State application with the City of Las Vegas application?

Answer (a): Yes.
2. **Question:** What if there are changes between the two applications (State vs. City)? Changes business plans, security plans, anything that may come up in the next 30 days.

Answer (a): The City will not accept changes in applications once the deadline has passed. If the State issues changes to their application/requirements, notifications for any allowed modifications will be made on the City's website.
3. **Question:** You guys are essentially pushing up the State time line by 1 month. Is that correct? Its due in August, but you are saying it's in July.

Answer (a): The State regulations were adopted April 1, 2014. The City has set its application date for July 8, 2014 through July 17, 2014, part of the requirements are the State documents.
4. **Question:** When you say Checklist are you meaning Merit Criteria that was provide by NV or some checklist that we haven't seen. No, you said checklist from the State.

Answer (a): The City of Las Vegas has 2 checklists due with the submittal. One is the [Business Licensing Checklist](#) and the other is the signed Checklist you received at the end of the MME Workshop.
5. **Question:** How much of this will be confidential? What information will be confidential, concerned about security plans and where the cameras are depicted, and business plans. Etc.

Answer (a): Per LVMC 6.95.210 Confidential Information.

 - i. The confidentiality of records regarding medical marijuana establishments shall be in accordance with Federal and State law. The duty to disclose any particular record as a public record shall be in accordance with State law.
 - ii. Any financial information is considered confidential as per LVMC 6.06.040 information showing the applications finances, net worth, earnings or revenues which is submitted as part of the application for a license shall be confidential except as follows:
 - iii. In the ordinary course of the administration of this chapter;
 - iv. Pursuant to a subpoena or other order of a court of competent jurisdiction;
 - v. Release to duly authorized agent of any governmental agency acting pursuant to the agency's authority and function.
6. **Question:** Does the cultivation facility have to be a stand-alone building or just have a

separate APN?

Answer (a): By stand-alone building it has to be the sole use, so it can be a unit within a strip mall. But it has to be the sole use within that structure or unit. They have to be separate suites, non-connecting, hard-wall suites.

7. **Question:** Is there a minimum requirement of local ownership required for MME's.

Answer (a): No.

8. **Question:** So an out of state company is ok?

Answer (a): Yes, as long as they are registered with the State of Nevada.

9. **Question:** Can you define exactly what is going to be confidential or protected when submitted. Because a concern would be any competitive advantage my group would have for the State application becomes public 1 month prior than when it's due. More concerned by business plans, licensing agreements etc.

Answer (a): Anything submitted that is intended to be kept confidential will be kept confidential to the extent allowed by applicable law.

10. **Question:** All the financial information, should it be submitted in a separate tab in an envelope saying confidential because under NV law public records are public records when submitted unless separately designated as confidential and proprietary.

Answer (a): See Answer 9a.

11. **Question:** So, will it only be the application that is public record?

Answer (a): See Answer 9a

12. **Question:** On the Building & Safety requirements is there a particular order that will fall in? What's the order?

Answer (a): The licensing checklist has an order for submittal and required tabs.

13. **Question:** I have a question regarding the cultivation site. I feel like I am getting conflicting information. If your cultivation is in a building that, for example, has that has 3 large suites and you sharing walls with another business. But it is in 1 free standing buildings that has 2-3-4-5- sections to it, like a lot of industrial centers have. Is that considered a free standing building/business?

Answer (a): See Answer 6a

14. **Question:** So if you have a 45,000 sq. ft. building that is divided into 3, 15,000 sq. ft. businesses and one of those businesses is a cultivation center is that acceptable or not?

Answer (a): See Answer 6a

15. **Question:** And this will be put online?

Answer (a): Yes all Questions/Answers will be posted online.

16. **Question:** City applications and State applications are you recommending that we simultaneously do the State and City?

Answer (a): The City has set its application date for July 8, 2014 through July 17, 2014; the State has posted their submittal dates on their website.

17. Question: In regards to the cultivation facilities and the parking and size of street detail...can you go over that? I have heard there are details requiring the minimum size of street or access, street or road for the cultivation facilities.

Answer (a): Those requirements are spelled out in the ordinance. The street requirements are only if they are part of a commercial subdivision and those are spelled out. The 100 foot right of way portion that is in the ordinance is specific to measuring distance from one use to the other, and if you are in a commercial subdivision and you are creating a parcel to alleviate that distance separation, then those criteria will apply 100 foot right of way ingress/regress to that roadway.

18. Question: If it's already existing the roadways are there, the building are there and it's been there a long time are we assuming that those access dimensions are acceptable since they have already been zoned and built?

Answer (a): As long as you are not creating another parcel to alleviate yourself from a distance requirement then the current status of that site would be applicable.

19. Question: Will you be consulting with the State particularly upon the free standing element because when you read the State law as passed it is ambiguous as to whether you can have two or more (a production facility and dispensary) in the same building. Will you get clarification from them before publishing because it would be kind of bad if we took your word and they say we meant something different?

Answer (a): We cannot speak for the State of Nevada. Applicant must discuss with the State any of their requirements.

20. Question: Is your intention to approve more than the allotted number of dispensaries and locations?

Answer (a): Neither the Planning nor Licensing permits restrict the number of Compliance Permits that can be approved.

21. Question: If a trust is a member of the MME does each beneficiary have to come forward or just the trustee?

Answer (a): Yes, each beneficiary and the trustees.

22. Question: Provide a copy of the entire tax return?

Answer (a): Yes.

23. Question: And every owner regardless of percentage?

Answer (a): Yes.

24. Question: Do we have to disclose profit sharing agreements, even if they have no ownership interest?

Answer (a): Yes.

25. Question: For further clarification, we are going to submit our application. We are going to

be deemed for approved if we comply and the application will receive the compliance standards met compliance...is that going to be done at the City Council level in the open meeting?

Answer (a): Under LVMC 6.95.070

- i. **The Director shall prepare a report on the merits of each complete medical marijuana compliance permit application, the potential suitability of any and all principals and the application's compliance with the provisions of this Ordinance and LVMC Title 19, and the application demonstrates the required financial, technical or educational ability or experience to perform the activity for which approval is sought. In recommending the granting or denying of such medical marijuana compliance permit, the Director shall give particular consideration to the identity, character, and background of the applicant, capacity, capitalization, past business practices of the applicant, operational plan, organizational structure, environmental sustainability and mitigation plans, interior floor plans of the buildings, odor control systems and suitability of the building for the use proposed, site plan as to parking, traffic movement and aesthetics; impact on the surrounding neighborhood; the type and degree of security personnel and facilities and any other factors that in his or her discretion deems necessary to the safety, peace, order and welfare of the public.**

26. Question: If there are 100 applications that are in compliance and meet the checklist and all the criteria will City Council be sending all 100 of those compliant applications to the State or will they have a meeting and determine how many they will recommend up to the State.

Answer (a): Neither the Planning nor Licensing permits restrict the number of Compliance Permits that can be approved.

27. Question: So the CC will not determine compliance they will determine which of the complying permits they are recommending? Like the County.

Answer (a): Neither the Planning nor Licensing permits restricts the number of Compliance Permits that can be approved.

28. Question: Do you have to submit driver license OR birth certificate or both?

Answer (a): Both

29. Question: How many years of tax returns?

Answer (a): 3 years

30. Question: Planned communities are not included in the ordinance, correct?

Answer (a): Special area plans, anything that is not within the designated zoning districts in the ordinance. The ordinance did not affect any master planned communities that have their own permissible use tables or overlay districts such as medical districts or arts districts ...so it's for lack of a better terminology are 'straight zoning'.

31. **Question:** So, would medical district or arts district be included?
Answer (a): They would not be included. Medical is zoned PD for planned development and has its own list of permissible uses which was not amended by the ordinance. Arts district is also not included because it has its own list of permissible uses.
32. **Question:** Under the vertical integration, can you do all three in one single building?
Answer (a): See Answer: 6a
33. **Question:** It is my understanding you have to attend these workshops in order to move on/submit?
Answer (a): Yes.
34. **Question:** Are there only 4 meetings?
Answer (a): No, check the website's meeting calendar.
35. **Question:** Who makes up the downtown design committee?
Answer (a): That information is available under Title 19.10, can't recall what it states, but its appointed members, staff and local businesses I believe. The committee is listed on the website.
36. **Question:** Construction, comment about building materials. Even if you are taking over an existing free standing building are you required to go through the whole building material list even though it has been approved by the City in the past?
Answer (a): The short answer is Yes. We need to know the occupancy of the existing space and the proposed use and in order to make that determination we need that documentation.
37. **Question:** Land use, you talked about the downtown commission looking over the dispensaries in August and Planning Commission in Sept, does that mean City Council will review Compliance Permit in Oct? Or is there a date for that?
Answer (a): Right now the plan is in October but no date has been set yet.
38. **Question:** Since the State is accepting applications in August, someone could apply in the City of Las Vegas and receive one of the 12 approvals in the City. Is the City going to take that into consideration?
Answer (a): There are three steps to licensing a medical marijuana establishment:
vi. A compliance permit
vii. State registrations certificate
viii. A business license issued by the City of Las Vegas
39. **Question:** Does the City want their application in the same format as the State? The State is requesting a "master copy."
Answer (a): The City only needs one copy and the checklist tells you how to organize that in the packet to us. As part of your application to the City, we require one complete copy of your State application including all required plans and documents.
40. **Question:** The state may be ranking applications as far as what they think is the best and

the worst. Is the City obligated to follow those rankings? Or is the City going to rank the applications independently?

Answer (a): See Answer 25a

41. Question: On the laboratories, what are the zoning requirements?

Answer (a): The laboratories will be like any other medical or dental laboratory and would follow the current zoning ordinances. Refer to Title 19.12.

42. Question: There has been much discussion about pushing cultivation to the City of North Las Vegas, if this happens, would a person still apply under the City of Las Vegas licensing? Or would that cultivation portion get pushed to a North Las Vegas application?

Answer (a): 6.95.100 Facilities Not Located Within the City of Las Vegas.

- i. A medical marijuana cultivation facility, an independent testing laboratory or a medical marijuana production facility which has obtained a business license in a jurisdiction within Nevada other than the City may apply to the Director for a license to provide testing, medical marijuana, edible marijuana products and/or marijuana infused products, if an adequate supply does not exist, to licensed medical marijuana establishments within the City. All applications for such licenses will be processed pursuant to LVMC Chapter 6.06 and shall be required to pay all license fees applicable to medical marijuana establishments located within the City. Medical marijuana establishments located outside of the City shall not be required to comply with the permit process set forth in LVMC 6.95.040.**

43. Question: So there's not going to be any integrated or combined application process or overlap of coordination between the City of Las Vegas and City of North Las Vegas?

Answer (a): Not at this time. We are separate jurisdictions and have separate filing requirements at this time.

44. Question: If you have more than one application for cultivation or dispensary locations within the City, is it possible to have more than one of your applications be approved and sent to the State?

Answer (a): Yes

45. Question: For the checklist we need to get, if you have more than one application do you need an original checklist for both? Or can we just make a copy of it?

Answer (a): You need an original checklist for each application you plan on submitting.

46. Question: What about the instance when not all the business entities and owners are defined and finished?

Answer (a): All owners must be identified on the application.

47. Question: Is there a separate checklist for labs?

Answer (a): No. Laboratories do not need to apply for a compliance permit. Once a State registration certificate has been issued, a laboratory may apply through the

regular privilege license process.

- 48. Question:** If you have cultivation in a different jurisdiction, but will be delivering to a dispensary in the City, do you still have to have a City license or permit?
Answer (a): Only a license. See above for Facilities not located within the City of Las Vegas 42a.
- 49. Question:** In the Financial disclosures, it asks for spousal information. If the spouse is not the source of the businesses independent funds, do you need to submit spouse's financial information? It's not community property. The spouse isn't on the bank account for the business, but they do file a joint tax return. It's understandable if it's community property, but it's not community property. It's the spouse's personal assets that are in their own bank account.
Answer (a): **If an individual is using personal assets to fund the business entity whether the business entity is new or existing, then the spouse needs to fill out the Personal History Questionnaire and the Personal Financial Questionnaire.**

If an individual is not using personal assets to fund the business entity and the spouse is not otherwise involved, then the spouse does not need to submit.

When in doubt submittal is recommended. If our analysis concludes it should have been submitted the application will likely be denied.
- 50. Question:** Survey Criteria...exactly what detail are the surveyors required to document for each location? Could you elaborate? Is it a question of distance from churches, schools, community centers, etc? Or is just to document the statistics of the physical location of the property?
Answer (a): **What you're going to be submitting to the State is what you would submit to us as far as the survey, In relation to, the distance from, and the uses of the surrounding area.**
- 51. Question:** Are the surveyors in town all aware of the new zoning and setback criteria? Is there a list of certified or approved surveyors?
Answer (a): **It's predicated on the State's distance separation requirements. So, if they are aware of what the State is doing, then they are already aware of what the City is doing. The yellow pages. The City as an organization does not make any referrals.**
- 52. Question:** Are the applications going to change? Is what's listed final?
Answer (a): **Final applications for the City of Las Vegas are available on the website.**
- 53. Question:** This video that we watched. When will it be up on the website?
Answer (a): **Video is available on the website.**
- 54. Question:** If you have a beneficiary of a trust that may have a wife or children or the people that benefit from that trust, do they all have to fill out an application, or just the named party of the trust?
Answer (a): **The named beneficiaries and the trustees.**

55. **Question:** As it relates to the trust, the City is going to require everybody who's going to have any ownership or involvement in the business, including all the trustees?
Answer (a): **Yes.**
56. **Question:** If you discover some gamers that aren't allowed to participate. In the County they were given a chance to withdraw, but it's my understanding that there are some that are still parts of applications. What will the City do? Will you give them another chance to withdraw? Or will they be disqualified?
Answer (a): **Applications should be correct at the time of submittal.**
57. **Question:** On the trust side, some individuals may have minors. How do you deal with issues where beneficiaries of just a general trust are minors?
Answer (a): **We would need a list of the beneficiaries who are minors, their ages, and a copy of their birth certificates. Applicants should review the Department of Justice memo dated August 29, 2013.**
58. **Question:** So, if I have a trust, and I'm going to use partial funds from a family trust, and they're not going to be any part of the business, but I am, I have to add all those names into the application? Even if they don't have anything to do with the business?
Answer (a): **Yes.**
59. **Question:** If the benefits of the trust money are used as community property, even if they're not listed on the trust, if there's a wife, you're saying you still have to get financial information for her right? Where does it stop?
Answer (a): **No, the named beneficiaries and the trustees.**
60. **Question:** If it's just beneficiaries and trustees, why would minor beneficiaries or children have to come forward?
Answer (a): **We would need a list of the beneficiaries who are minors, their ages, and a copy of their birth certificates. Applicants should review the Department of Justice memo dated August 29, 2013.**
61. **Question:** If you list a trust as an asset but you aren't using funds from that trust for the business, do you still have to provide the trust information?
Answer (a): **No.**